

**Rocky Flats Coalition of Local Governments Board Meeting Minutes**  
**Monday, October 3, 2005**  
**8:30 – 11:40 a.m.**  
**Jefferson County Airport, Broomfield**

**Board members in attendance:** Gary Brosz (Director, Broomfield), Lori Cox (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Sam Dixon (Director, Westminster), Jo Ann Price (Alternate, Westminster), Ron Hellbusch (Alternate, Westminster), Lorraine Anderson (Director, Arvada), Clark Johnson (Alternate, Arvada), Jim Congrove (Director, Jefferson County), Karen Imbierowicz (Director, Superior), Shaun McGrath (Director, City of Boulder), Alice Gutherie (Alternate, City of Boulder), Jane Uitti (Alternate, Boulder County).

**Coalition staff members and consultants in attendance:** David Abelson (Executive Director), Rik Getty (Technical Program Manager), Barb Vander Wall (Setter & Vander Wall, P.C.), Jennifer Bohn (Accountant), Erin Rogers (consultant).

**Members of the Public:** Kate Newman (Jefferson County), John Rampe (DOE), Shirley Garcia (Broomfield), Bob Darr (DOE), Marion Galant (CDPHE), Jeanette Alberg (Sen. Allard), Glen Fischer (GAO), Dan Feehan (GAO), Carl Spreng (CDPHE), Jerry San Pietro (retired RFETS employee), Donald Sabec (retired RFETS employee), Bob Nelson (City of Golden), Hank Stovall (RFCAB/Broomfield), Ken Korkia (RFCAB), David C. Shelton (Kaiser-Hill), David Hiller (Senator Salazar), Marjory Beal (League of Women Voters-Jefferson County), Susan Vaughan (League of Women Voters - Jefferson County), Chuck Miller (Steelworkers, Rocky Flats), Amy Thornburg (USFWS), Mark Sattelberg (USFWS), Doug Woodard (Steelworkers, retired), Sam Marutzky (Stoller), Jeannette Hillery (League of Women Voters Colorado), Mark Aguilar (EPA), Kim Grant (Rocky Flats Cold War Museum), Kimberly Cadena (Rep. Beauprez), Edgar Ethington (CDPHE), Rob Henneke (EPA), Frazer Lockhart (DOE), Jeff Lively (MACTEC), Rich Schassburger (DOE).

**Convene/Agenda Review**

Chairman Shaun McGrath convened the meeting at 8:35 a.m.

**Business Items**

**1) Consent Agenda – Karen Imbierowicz moved to approve the consent agenda. Lorraine Anderson seconded the motion. The motion passed 7-0.**

**2) Executive Director's Report - David Abelson reported on the following items.**

- While in Washington, D.C. recently, David met with staff from Senators Allard and Salazar's offices, as well as staff from the Senate Armed Services Committee, which is responsible for the Defense Authorization bill. They discussed the issue of Rocky Flats mineral rights. Committee staff members are reticent to make changes to the amendment as requested by RFCLOG because they do not want to lose the support of DOE and DOI. They are very

appreciative of the Coalition's support, but the amendment will not work if they lose agency support. Staff thinks the language is clearable now. The Defense Authorization bill could come up this week, according to Senator Salazar's office. David remains hopeful that the remaining issues will get worked out, but there may still be a need for additional legislation to address the acquisition of all minerals.

- The GAO distributed preliminary findings of its review of Rocky Flats cleanup issues. Board members received this initial draft on September 22<sup>nd</sup>. The GAO's last report at Rocky Flats was in 2001. This one reviews obstacles the site was able to overcome in order to make closure happen. David thinks the report gives clear answers. As part of their review of the independent verification efforts, the GAO did look at the community directed reviews. The final report is due in May, 2006. David thinks there is some good information in this report that the Board should read and that it is a nice tribute to the work that has been done at Rocky Flats.
- Before the Coalition's next meeting, Kaiser-Hill will announce they have finished active remediation at the site and thus have met their contract obligations. The site will next move into the regulatory period to verify remediation activities have been done according to the requirements. David read a 1999 statement by the Coalition which presented its definition of cleanup. He asked the Board to take a moment to look forward and also to reflect on what has been done. It struck him that DOE said years ago that it could not 'assure' the community that the cleanup could be done by 2006. David thinks that where the Coalition has come as an organization is impressive and has really been quite successful. He said that the agencies threw the minimum requirements for dealing with the community out the window, which was unlike the process at any of the other cleanup sites. Also, Colorado's congressional delegation was closely involved, and is likewise responsible for the success of this cleanup. David noted that we do not speak much about how Rocky Flats has been able to accomplish this cleanup with a phenomenal safety record, and that if this was an airport or other cleanup and demolition site, someone probably would have died as a result of the work. He also commented on the uniqueness of how Rocky Flats workers essentially worked themselves out of a job. David congratulated the site for exceeding so many expectations. He said we have all been pushing for this, and it is going to happen. David turned the floor over to Gary Brosz to go over a number of photos he took at a recent site tour.

Gary went on a tour led by Dave Shelton. He handed out about 50 color pictures and went through selected ones. The roads and railroad tracks have been dug up and most of the site did not even have construction equipment on it, only around the old 371 area. Gary described photos showing revegetation in cleanup areas, ponds, landfills, Central Avenue (which no longer exists), and drainages. He was very impressed with the topography. Also, he looked at 903 sampling areas, and found this part of the tour to be very educational. Most of the sampling/hotspot areas were very small. All in all, he said, it was an amazing tour. He wishes the public could go see it. He commented that people can argue about what is left in the soil, but there is no question that an incredible job has been done out there.

Lorraine Anderson shared that she had recently attended an Environmental Management Advisory Board meeting. She said everyone should be proud of the cleanup that has been done at Rocky Flats. This will be the model for best practices in the complex. She also noted that

Rocky Flats is lucky it was one of the first to be cleaned up. She said everyone should congratulate DOE and Kaiser-Hill for the job they did.

Jane Uitti commented that these were great pictures. She asked if the photos could be added to the Coalition's website. Staff said they would work with Gary to look into doing that.

Sam Dixon noted that the site has come a long way since 1992 when the Woman Creek Reservoir grant came through. She said that the only thing that bothers her is what is left in the soil. She is still concerned about what is there.

Shaun McGrath said he has been thinking that it might be worth putting together a document to capture how the Coalition has influenced the cleanup process. He would like to do it while David is still on staff and Board members are still available. He suggests laying out ideas, lessons learned, and history by the November/December timeframe.

Next, the Chair asked for introductions of audience members.

### **Public Comment**

Before beginning the public comment period, Shaun McGrath asked if any of the congressional staffers would like to provide an update on the mineral rights issue. Jeanette Alberg from Senator Allard's office said she was hopeful that they would be able to get something through on this issue during the congressional session. Because it is a delicate situation with DOE and DOI, Senator Allard's Washington staff said it will be easier to make any desired changes during the conference process. Jeanette also mentioned that she brought press releases about the GAO report, as well as a few copies of the report for the public.

David Hiller from Senator Salazar's office said that the Senate is back in session and the DOD appropriation looks like it will move faster than the authorization bill. There are limits in place on the number of amendments, and everything needs to be approved by unanimous consent. Therefore, the amendments suggested by the Coalition will not be made before the vote, but there is still an opportunity for some to be made during the conference process. Senator Salazar is watching this closely and working hard to make it happen, and his staff is in close touch with Coalition staff.

John Rampe (DOE) reported that he was given a series of minutes from meetings between the union and contractor management in the 1970's regarding various waste disposal sites and practices. He shared this information with Kaiser-Hill to evaluate whether these sites had been considered during cleanup. The sites mentioned in these minutes included the Mound area, the 903 pad, and various portions of the East Trenches. Kaiser-Hill discovered that those minutes were already a part of the Rocky Flats administrative record, and were considered for the Historical Release Report, which was in turn used to develop the original list of Individual Hazardous Substance Sites (IHSS's). One particular location near Building 371 was a potential area of contamination. CDPHE identified this as part of their aerial photography process. There was an investigation which showed no adverse impacts, and it was determined to be a No Further Action site. Also, functional channel one was excavated. Building construction debris was

found and was all was excavated and disposed. Since this waste is no longer there, the Historical Release Report will be updated to reflect this new status.

Jerry San Pietro asked if the Coalition received a letter he faxed to them on Friday. Staff responded that they are not in the office on Fridays, but will distribute it to the Board later today. Jerry said that the letter contains more specifics about why he was not satisfied with the responses he received from DOE to his first letter.

Doug Woodard stated that he was laid off last week, just six weeks away from receiving his pension. From his experience as a radiological control technician, Doug said that there was a lot of contamination left in the B371 basement when it was paved over and backfilled, and that he had never seen it done this way before. He also noted that many employees were now being laid off just weeks or days before they are eligible for their pensions. These workers are paying dearly for the fast cleanup. He just hopes it was done right, since he does live in Arvada.

Jeanette Alberg (Senator Allard) noted that their office is also working right now on securing benefits for workers that are being laid off.

Lorraine Anderson stated that she believes that the Coalition went through the techniques that were going to be used to clean up Buildings 371/771 and it appears to her that the regulators weighed in and she believes the cleanup of these buildings was taken care of properly.

John Rampe updated the group on the Building 371 regulatory process. The site just submitted the final closeout report last week. The regulators are currently reviewing information about the processes that Kaiser-Hill used to clean up B371, as well as what was left behind underground. DOE is anticipating approval.

Gary Brosz noted that it was his understanding that the issue of coverage for laid off workers is currently being worked on. He asked if these workers are currently without benefits, and how long will it take for them to receive coverage. Jeanette Alberg (Sen. Allard) said she does not know the specific answer to this question. Last year, DOE and Kaiser-Hill prepared a report on the status of site workers. Many get partial pensions and COBRA medical coverage for 3 years, but it will take a while for results and she does not know what will come out of this process.

David Hiller (Sen. Salazar) noted that there is a whole range of problems, including pension and medical coverage. Many are dissatisfied with the current situation, including the congressional delegation. As a result of recent legislation, Rocky Flats workers are part of the Special Exposure Cohort, so they will receive preferential benefits. He said they are even more deserving than workers at many other sites. He noted that it is very frustrating and not fair that Rocky Flats workers are not being better cared for, but there is some opposition to providing more benefits. The Senators are working hard on this issue, but he wishes he could be more optimistic in terms of timing and results.

JoAnn Price asked how many workers are losing out on their pensions and benefits. One of the retired workers answered that there are about 70, including 40 Steelworkers.

## **LSO Discussion**

The Board invited one representative from each of the interested groups to join them at the table. Joining the Board for the discussion were Bob Nelson from Golden, Kim Grant from the Rocky Flats Cold War Museum, and Jeannette Hillery from the League of Women Voters. Shaun McGrath opened this topic by asking the group to complete the discussion on LSO scope as quickly as possible, and then spend more time on membership discussions. He noted that there were two copies of the draft LSO plan in the packet. One draft incorporates the group's comments and the other includes changes submitted by the City of Westminster. Shaun suggested that the group work from the first draft, and asked Westminster to voice their comments as they came up during the discussion.

The section entitled Caveat Emptor is in the document for information only and will be removed in the final version. The draft also includes a new paragraph suggested by Lorraine Anderson in the Background section. No further changes were suggested on this section.

**Page 2:** Westminster raised an issue related to the future of the Quarterly Data Exchange meetings. They are concerned that the agencies will no longer feel the need to report directly to the cities when the LSO is formed. According to Westminster, the cities will still need reports directly from Legacy Management (LM), and cannot wait for information to be filtered through the LSO. Westminster feels strongly that the Board needs to add language to this draft requiring the continuation of direct reporting to cities. Lorraine Anderson said she thinks this is a separate issue and the cities should write a letter to regulators. David Abelson noted that a few things are at play regarding this point. He said LM wants a single point of contact, and that they want that to be the LSO. He does see that certain things, however, need to be directly reported to the governments, such as pond releases. He is also worried about DOE treating the LSO as a contractor, and telling it what it needs to do. He sees a need to better work out how communication is going to work. However, he does not want to hamstring the LSO by drawing lines in the sand now because the group will need flexibility.

Gary Brosz stated that Broomfield is for the most part in concurrence with Westminster. They do not see this as a detail, but rather a very important issue and feel that it is essential to have language in this LSO plan that ensures the mission of the LSO will not block the currently existing lines of communication. Broomfield developed a list of eight kinds of notifications that they will always need immediately, including pond releases and any exceedances. The cities need to be able to react within hours of receiving such data to do things such as changing water routes. He believes this fits near 2a on Page 3.

Sam Dixon said she is concerned that this requirement is not in final RFCA documents. Westminster also sees this as an extremely important and definite need.

Ron Hellbusch said, on behalf of the Woman Creek Reservoir Authority, the Authority supports Sam and Gary's concerns. WCRA also believes that certain information will need to go simultaneously to the LSO and the cities/WCRA. Water quality was the primary issue that drove the cities to the table years ago and that remains the same today.

Jeannette Hillery (LWV) concurs that nothing should be hidden from public knowledge and that the local governments need to be able to protect their citizens.

Shaun McGrath asked staff to draft language incorporating these concerns. David will draft and distribute for review.

**Page 3:** The group discussed the suggested move of sections 2c and d to Section 4. Shaun McGrath raised an objection because Section 4 includes language limiting the LSO's work on additional issues to those 'as the Secretary and the LSO jointly determine appropriate'. He is concerned that moving them to this section is a pretty significant change and it might limit the LSO's ability to work on some issues. JoAnn Price said she agrees with Shaun. Gary Brosz believes the data reporting issue belongs under section 2. David pointed out that this would be putting it under the list of activities of the LSO. He thinks it should be in a paragraph following the list of LSO responsibilities. Gary said he was not opposed to this approach as long as the draft emphasizes the need for simultaneous, direct communication with cities and the LSO. He worries that if this direct reporting is not listed as an LSO responsibility, it may fall off the table. Shaun suggested moving 2c and d back to sec 2. Karen Imbierowicz asked why they were moved in the first place. David responded that DOE had requested this change. The group decided to move them back.

**Pages 4 and 5:** no additional comments or changes

**Page 6:** Shaun noted that a paragraph had been added about the Colorado Sunshine Act, but there was nothing explaining why this would not be a Federal Advisory Committee. David will add this explanation. The group agreed to this change.

JoAnn Price asked whether the LSO will be set up like the Coalition and have Directors and Alternates. She is interested in how each government will be represented. David responded that this will be taken up later in the process.

Shaun next moved the group into a discussion of LSO membership issues. David suggested that the group not deal with specifics such as the issue of alternates. He sees this kind of issue being addressed in the LSO's bylaws. He thinks the group should talk about who the members will be. Shaun noted that the Board has already suggested including all Coalition members, plus Golden, plus four non-elected representatives. Gary asked if one of the four non-elected seats is reserved for retirees. David responded that this is an expectation and understanding, but the Coalition has not yet put this recommendation in writing. Shaun McGrath offered that he can definitely see the need for a worker seat in the short-term, but perhaps not in perpetuity.

Lorraine noted that they had talked previously about having the agencies as ex-officio representatives. She thinks anyone should be able to apply for the other four seats and the group should come up with some method of appointment. Shaun asked if the group thinks that non-elected members need to represent a group, and noted that there are pros and cons to this. Lorraine said she thinks the recommendation should be flexible on this. The group needs a method of identifying which applicants would be most valuable to the goals of the organization,

and she suggested this should be through interviews followed by a recommendation to DOE. Lori Cox noted that the draft LSO plan states that LM has already said non-elected officials should represent organizations. David replied that the Board needs to decide if they want to push back on this LM stance. Lorraine said the current language does not preclude an individual who represents a 'broad constituency'. David stated that if the Board wants to push back on this point, the draft plan will be changed. Lori clarified that she is not advocating one option or the other. Shaun suggested broadening the language on Page 5 to read 'particular experience or skills, relevant to the LSO'. Lorraine said they can delete that sentence entirely in order to give more flexibility. Shaun asked the group about deleting that second sentence and then adding the following suggested language at the end of third sentence: ", including non-elected officials representing organizations, or individuals if they bring a particular skill set." There were no objections.

Ron Hellbusch noted that the WCRA would appreciate discussion on their request to be included on the LSO. Lorraine responded that many groups have expressed a similar interest and they should be told they can officially apply and then the LSO Board can decide. Gary Brosz asked if the group should be discussing the membership selection process or discussing who the members should be. He thinks it might be more helpful to discuss the process, and let the LSO decide on membership, evaluating needs as they evolve within the scope of LSO. Ron noted that the letter from WCRA also represents two other cities that are part of Authority, which he thinks should have priority because of their role and history with Rocky Flats. Shaun asked if the Board has an interest in making recommendations on permanent seats.

Kim Grant (Rocky Flats Cold War Museum) noted that since the museum board has adopted a position that the museum should be at or near the Rocky Flats site, they feel they can make a case for being offered one of the remaining seats. Lorraine Anderson said that the Coalition has talked about keeping the organization very lean, and she does not want to add any more seats to LSO beyond 12. She sees that the interests of Northglenn and the WCRA have been represented by Ron and Sam from Westminster. She thinks other cities and the WCRA can apply for seats like anyone else. Sam responded that she does not represent the WCRA. She also thinks retirees need to be permanently represented. Kim Grant asked whether the LSO will have any more than the 12 members. Lorraine responded that this is the limit that was agreed upon.

Lori Cox asked why Northglenn was not a part of the Coalition in the first place and what has changed that they now want to be part of LSO. Ron suggested that since the Coalition, and RFLII before that, were focusing on cleanup, Northglenn decided to let Westminster represent their interests. Sam disagreed, saying that the Coalition decided that only those governments bordering Rocky Flats would be on the Board. She also noted that Northglenn did participate on RFLII. David concurred with Sam's response.

Shaun stated that he does not think that the RFCWM should get a permanent seat on the LSO, and that those are only reserved for local governments. He agrees that additional governments should apply as Lorraine suggested. He thinks that workers should have an initial seat, but not permanent. He likes the process for membership selection that was suggested by Lorraine a few months ago. This would involve the interested party submitting an application to the LSO (like

applying for other local government commissions), and the LSO would interview and make a recommendation to the Secretary of Energy.

JoAnn noted that the door for membership was opened to Golden, but she sees that Northglenn has even more reason to be selected, as well as WCRA. If door was open to Golden, then it should be open to others with the same criteria. Karen Imbierowicz said that she agrees with Shaun on everything except one point. She thinks Northglenn should be given a seat on the LSO. She does not see how the Board can justify adding Golden and not Northglenn. She suggests adding them and letting any others apply.

Gary stated that, at the time of the Golden discussion, the Board did talk about the possibility opening up Pandora's Box. He would now like to shut the door. He thinks the criteria for LSO member governments should include the willingness to invest the time and resources to address all Rocky Flats issues and thinks these other cities are only interested in water issues. He suggests sticking with the eight governments and four non-elected members and selecting members for two-year terms. Shaun McGrath asked Bob Nelson how much interest he thinks there will be from Golden when he stops coming to meetings. Bob responded that he is not sure but will ask this question at the upcoming city study session, and report back to this group. He thinks it is a possibility that Golden may even withdraw its request to serve on the LSO. He suggested perhaps using the seat currently set aside for Golden as a rotating seat that would be shared among the other interested governments. Lorraine asked if this was a viable solution. JoAnn responded that she does not see that Golden has or ever will have any more pressing issues related to Rocky Flats than Northglenn does. Barb Vander Wall clarified that all parties participating in the LSO IGA must be entities of local government and agree to the terms of the agreement. Rotating parties would work as long as they agree to the terms of the IGA.

Kim Grant suggested that if cities are added, he would prefer that they do it on this kind of rotating basis so that that four non-elected seats are not affected by additional government participation. David concurred that the Board would not want to cut into the four non-elected seats for any other government. The Board then directed staff to amend the draft Plan to specify that the eighth seat would rotate between Golden and Northglenn.

### **Soil Sampling Results**

David welcomed Jeff Lively from MACTEC to this discussion about soil sampling results.

Rik Getty began the discussion by going through answers to a series of questions that the Board asked at the last meeting. The questions were grouped into three categories, 1) Aerial scanning, 2) Targeted land based scanning/sampling around 903 area, and 3) ORISE independent verification at the 903 area.

***Aerial scanning:*** The first question was whether the areas that had a less precise Minimal Detectable Activity (MDA) were areas of high or low concern. The Board received an email last week with answers to this question. In the Industrial Area, the MDA was equal to what has been predicted, or only slightly higher. The higher MDA's came near power lines, steep drainages,

and the gravel operations on the west side of the site. However, if coupled with historical sampling data in these areas, it virtually negates any concerns over the MDA.

**903 lip sampling:** There were several questions with regard to exactly how this sampling was completed. Kaiser-Hill used HPGe detectors around the perimeter of the lip area to determine the extent of remediation. Five of these readings came back higher than the standard. They then moved the detector in step-out fashion by one field of view at a time. If the HPGe found contamination, they followed this up with soil samples in a circular area, taking samples in the center and at the four compass points of the circle. They took an 8 inch by 8 inch square, 6 inches deep. They used field gamma detection for confirmation sampling, and alpha spectroscopy for final verification. Another question was whether they looked outward from the five hotspot areas for any additional contamination. One of the contamination areas was in white space, or an area in which contamination was not expected. In these areas, they performed step-out sampling, thus chasing the contamination. This particular white space area was part of another potential area of concern, for which Kaiser-Hill also completed step-out sampling.

**ORISE Independent Verification:** ORISE selected two areas as MARSSIM survey units. One was on the inner 903 lip and one was on the outer lip. The Board wanted to know specifically how these samples were collected in terms of volume, area and other measurements. For these samples, ORISE collected approximately the top six inches of soil in about a six-inch circle. They collected about 1 kilogram of soil. The Board asked if the MARSSIM samples were similar to samples taken under the RFCA process. Rik reported that the two sampling techniques are similar, but not identical. For example, ORISE removes rocks from samples before analysis, which is not done under RFCA. The Board also asked if the samples were taken in perfectly shaped circles. The answer was that they probably were not perfectly shaped due to variable soil conditions. The Board asked if DOE has decided whether or not to do any additional mini-MARSSIM surveys, as requested by MACTEC. DOE responded that they will not be doing these suggested surveys because the areas in question have since been backfilled. In response to questions, Kaiser-Hill gave out hotspot maps at a meeting last week. John Rampe has a few copies available at this meeting.

Rik noted that Jeff Lively from MACTEC was on hand to answer any questions.

Gary Brosz thanked Rik for this follow-up. He said he has never been able to understand exactly how samples are taken, and that there does not seem to be much precision or repeatability. For example, CDPHE has a standard surface sampling tool that they use. He does not see anything like that from other sampling processes. Since most of 903 area is surface contamination, Gary suggests that the shape and volume of the sample must be critical to determining how much you are diluting any contamination in a sample. He assumes this would lead to a wide variability in results and asked if his interpretation was accurate. Jeff Lively answered that, theoretically, Gary was right that sampling technique can lead to wide variability in the results. However, he explained that because the standard of 50 picocuries per gram was derived using the assumption of that amount of contamination being located anywhere in the top six inches of soil, the exact shape or volume of the sample would not have an impact on the accurateness of the results. Gary replied that he would still be more comfortable if the sampling was at least consistent. Jeff noted that the variability in contamination concentration is far larger than the variability in the

soil sampling process. Also, the ORISE samples were done using MARSSIM, and showed the same results. Gary pointed out that the judgment samples did not. Jeff stated that in soil sampling it is impossible to collect a second sample of the exact area as the first. Gary concluded that what he will take away from this discussion is that in the future he will know that results of 2 picocuries and 100 picocuries may not really be any different. Jeff noted that exact sampling according to strict definitions is impossible in the field; it is physically not possible. He says that they just need to ensure the correct vertical horizon.

Shaun McGrath asked if Jeff was satisfied with DOE's reasons for not doing the additional mini-MARSSIM surveys. Jeff replied that since he was only being offered the opportunity to independently review certain areas of the site, he would not be able to extrapolate from this that other areas were also clean. He said he does not believe that DOE or Kaiser-Hill, based on the ORISE sampling, have a good basis to say that the cleanup standard has been verified across the entire site. Jeff acknowledged that the MARSSIM independent verification sampling in the 903 area did show that results for the mean contaminant concentration were quite similar to Kaiser-Hill's results. He noted that this shows that Kaiser-Hill's confirmation samples were consistent and their sampling plan appears to have been well-designed in terms of measuring the average concentration in the remediation areas.

Lorraine asked that since Kaiser-Hill has backfilled the remediation areas and the surface layers are now clean would it not be considered 'safe' according to RFCA? Jeff pointed out that Lorraine had touched on two different issues, 1) did the site comply with the RFCA standard, and 2) is it safe? Lorraine repeated her question asking if they did meet the RFCA standard prior to backfilling, and are these areas safe. David Abelson answered that the remediation areas have to meet RFCA criteria prior to being backfilled and re-graded, but added since they were regarded, conducting a MARSSIM review would be futile.

Sam Dixon asked what proof we have that the areas were clean before they were backfilled. John Rampe responded that these areas went through characterization and removal, as well as confirmation sampling that was done subsequent to approval by regulators. All of the documentation can be found in the administrative record. Sam pointed out that they did in fact find hotspots after all these actions. John said that on a 100% survey, they did find small, isolated hotspots. He added that the reason DOE is saying additional MARSSIM surveys are not warranted is not simply because the areas have been backfilled, but rather, more significantly, that what they found with 903 pad MARSSIM survey was very consistent with what they already knew from their own sampling.

John also updated the Board on the recent hotspot remediation. Last Tuesday and Wednesday, Kaiser-Hill removed soil in the areas with elevated levels. They removed whichever was larger of the areas suggested by the results of either ORISE or Kaiser-Hill. In total, 80 square meters of soil were removed, which was about 14 cubic meters of material. They are in the process of characterization and early results suggest they got it all, but final results are not available at this time. The material was put on a train to a disposal facility in Utah on Friday, and may have already arrived. The last step in the process will be to conduct a risk analysis around these numbers to show that the discovery of these hotspots does not change the overall risk posed from the site.

Sam Dixon asked if 28 samples had been removed. David clarified that the figure of 28 came from Kaiser-Hill's survey. Jeff Lively asked John Rampe if the risk assessment will take into account the fact that the hotspots have been removed or if they would include these elevated readings as part of the analysis. John said they will incorporate the elevated areas into the risk analysis. Carl Spreng (CDPHE) noted that the Comprehensive Risk Assessment (CRA) is a separate process from the risk analysis that John Rampe mentioned. Jeff asked Carl if these elevated areas will be considered in the CRA. Carl said they will be incorporated. The CRA will use the sampling data taken before backfilling and therefore reflect what was left as being on the surface.

### **Residual Subsurface Contamination**

Rik Getty updated the Board on his work to document residual subsurface contamination at the site. An updated report on his review is in the Board packet. Some of the reviews are completed, some are in draft format, and some still need to be researched. He said that if there are other areas that the Board wants him to look at, they should let him know. Shaun McGrath commented that he finds this research to be invaluable and that Rik has done a great job to put it in a very readable format. He made a suggestion that Rik look at potential residual contaminants that could exist given the limitations of sampling protocols, as in when the site uses a 95% confidence level.

Gary Brosz said he thinks the Coalition's focus needs to shift to where it can add the most value. Broomfield is currently most interested in the Integrated Monitoring Plan. They would like to look at how the community can access the data, how it will be implemented, and other aspects of the monitoring plan. He would like to see Rik focus on this as much as possible.

Sam Dixon stated that Northglenn and Thornton have always been involved in the quarterly data exchange meetings, and that Northglenn has a particular interest in Rocky Flats because its trail system ties into Westminster's. JoAnn Price said she was interested in seeing more frequent monitoring and sampling.

### **Public Comment**

Chuck Miller (Steelworkers) noted that this would be his last meeting as an active worker. He thinks there should be a presence on the LSO for both Steelworkers and salaried workers. He said that it is a travesty that Doug Woodard missed out medical for he and family by just six weeks after 23 ½ years of service. He said the workers have done their best work and are proud of it. He asked the Coalition to please do anything it can to help.

### **Big Picture**

David noted that the Board needs to take care of several transition issues, including: 1) Coalition infrastructure, 2) 2006 budget, 3) 2006 Strategic Plan, 4) Transition to LSO. Also, after finalizing the LSO plan, the Coalition will need to look at the needs for establishing the LSO.

In terms of upcoming Rocky Flats issues, almost all will be related to regulatory closure from now on. David said he needs to sit down with Rik to look at the best sequencing for addressing these issues. He would like to encourage anyone who might be serving on the LSO to attend the remaining Coalition meetings in order to hear the briefings and get up to speed on the issues. David is anticipating that his last meeting with the Coalition will be January 9, 2006. However, he may still be available to help close down RFCLOG, but that his last day as an employee would likely be January 15<sup>th</sup>.

Gary Brosz said he wants closure on the Integrated Monitoring Plan. David responded that the public comment period is scheduled for June and that there is still a lot of time to look at this plan. He is currently working on getting a better sense of what the remaining decision points are.

Sam Dixon noted that the next meeting will be her last as a member of the Coalition. Shaun McGrath noted that he will not be at next meeting, and Gary Brosz, as the Vice Chair will be running the meeting. Shaun shared his appreciation for the work of both Sam and Gary. JoAnn Price announced that the City of Westminster is hosting a farewell party for Sam on October 25 at the Westminster Recreation Center at 5:30 p.m. Board members will be receiving an invitation in the mail.

The meeting was adjourned at 11:40 a.m.

*Respectfully submitted by Erin Rogers.*